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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/811,124	03/16/2001	William M. Adams II	4557P002	6502

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EXAMINER

DADA, BEEMNET W

ART UNIT	PAPER NUMBER
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2135

DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/811,124

Applicant(s)

ADAMS ET AL.

Examiner

Beemnet W Dada

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-18 have been examined.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Van Till et al. (hereinafter Van Till) (US Patent No. 6,404,337) in view of Kucharczyk et al. (hereinafter Kucharczuzk) (US Patent No. 6,300,873 B1).

4. As per claims 1, 16 and 17, Van Till teaches a method of delivering a package comprising:

associating an address with a delivery package, the address identifying a specific physical location and differing from addresses of other locations, handing the delivery package to a delivery entity, the delivery entity utilizing the address associated with the delivery package to seek and find the specific physical location identified by the address (i.e., a delivery entity (logistic company) delivering items purchased from a merchant 104, to customer 102, 106, see figure 1, column 4, lines 47-57 and column 6, lines 12-27);

providing a delivery identifier (i.e., tracking information) to a processor of a cryptographic authority computer, the delivery identifier identifying a specific enclosure at the specific physical location and differing from delivery identifiers of delivery enclosures at other locations (providing tracking information to a digital signature processor, see column 10, lines 34-63, note that tracking information includes delivery address, see column 6, lines 17-21) ;

providing a request time to the processor of a cryptographic authority computer, the processor of a cryptographic authority computer generating a cryptographic key utilizing the delivery identifier and the request time (i.e., generating digital signature utilizing tracking information and a time stamp, see column 4, lines 57-67 and column 5, lines 1-17); and

providing the cryptographic key to the delivery entity the delivery entity entering the cryptographic key into a processor of a delivery computer [column 6, lines 36-44], the delivery computer decrypting the cryptographic key and causing for a lock on the delivery enclosures to be unlocked if the delivery identifier matches a proof identifier located in the delivery computer, unlocking of the lock allowing the delivery entity to open a closure member of the enclosure to gain access to an internal volume of the enclosure, the delivery entity locating the delivery package in the internal volume [column 7, lines 3-13, lines 41-54 and column 8, lines 7-20]. Furthermore, Van Till teaches the method including generating digital signature utilizing tracking information and a time stamp [column 4, lines 57-67 and column 5, lines 1-17], and causing for a lock on the delivery enclosure to be unlocked if the tracking information matches the one stored in memory of the enclosure [column 7, lines 45-56 and column 8, lines 9-20]. Van Till does not explicitly teach causing for a lock on the delivery enclosures to be unlocked if a difference in time between a proof time, from a clock providing the proof time to the processor of the delivery computer, and the request time is less than a selected maximum. However, in the same field of endeavor Kucharczyk teaches a method of delivering a package [column 11, lines

including generating a cryptographic key used for unlocking a delivery enclosure, wherein the lock on the delivery enclosure is unlocked only within a predetermined time interval [column 2, lines 32-57]. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement a method of unlocking a delivery enclosure within a selected maximum time as per teachings of Kucharczyk into the secure package delivery method of Van Till, because the method further reduces opportunities for theft and/or tampering of unattended package delivery method by generating cryptographic keys for unlocking a delivery enclosure and having access codes used only within a selected period of time.

5. As per claim 2, the combination of Van Till and Kucharczyk teaches the method as applied above. Furthermore, Van Till teaches locating the cryptographic key on the delivery package [column 6, lines 12-47].

6. As per claim 3, the combination of Van Till and Kucharczyk teaches the method as applied above. Furthermore, Van Till teaches utilizing a client computer to access an order page located on an etailer computer [column 4, lines 47-57]; utilizing the client computer to order the delivery package, identifying the address of the specific physical location and offering payment of an agreed upon purchase price of the delivery package [column 4, lines 47-57]; and providing the cryptographic key to the etailer computer who ensures that the cryptographic key is located on the delivery package [column 6, lines 12-47].

7. As per claim 4, the combination of Van Till and Kucharczyk teaches the method as applied above. Furthermore, Van Till teaches the method wherein the client computer is utilized to provide the cryptographic key to the etailer computer [column 6, lines 12-47].

8. As per claims 5 and 11-13, the combination of Van Till and Kucharczyk teaches the method as applied above. Furthermore, Van Till teaches the method further comprising utilizing the etailer computer to transmit a first cryptographic key request to the client computer, utilizing the client computer to provide a second cryptographic key request to the processor of cryptographic authority computer, utilizing the cryptographic authority computer to transmit the cryptographic key to the client computer, and utilizing the client computer to transmit the cryptographic key to the etailer computer [column 6, lines 12-47].

9. As per claim 6, the combination of Van Till and Kucharczyk teaches the method as applied above. Furthermore, Van Till teaches the method wherein a client operates the client computer to transmit the second cryptographic key request to the cryptographic authority computer [column 6, lines 12-47].

10. As per claim 7, the combination of Van Till and Kucharczyk teaches the method as applied above. Furthermore, Van Till teaches the method, wherein the client operates the client computer to transmit the cryptographic key to the etalier computer [column 7, lines 15-20].

11. As per claim 8, the combination of Van Till and Kucharczyk teaches the method as applied above. Furthermore, Kucharczyk teaches the method, wherein the processor of the cryptographic authority computer receives the request time from a clock of the cryptographic authority computer [column 2, lines 32-57].

Art Unit: 2135

12. As per claim 9, the combination of Van Till and Kucharczyk teaches the method as applied above. Furthermore, Van Till teaches the method, wherein the delivery computer includes a keypad and an employee of the delivery entity enters the cryptographic key on the keypad [column 10, lines 47-57].

13. As per claim 10, the combination of Van Till and Kucharczyk teaches the method as applied above. Furthermore, Kucharczyk teaches generating a cryptographic key for unlocking the delivery enclosure within a predetermined time period [column 2, lines 30-55].

14. As per claims 14 and 15, the combination of Van Till and Kucharczyk teaches the method as applied above. Furthermore, Van Till teaches the method further comprising: utilizing a mobile computer of the delivery entity to transmit a cryptographic key request to a cryptographic authority computer, and utilizing the cryptographic authority computer to transmit the cryptographic key to the mobile computer [column 6, lines 12-47 and column 10, lines 47-57].

15. As per claim 18, the combination of Van Till and Kucharczyk teaches the method as applied above. Furthermore, Van Till teaches the method wherein the person allowed to open the closure member is the delivery person [column 7, lines 40-45].

Conclusion

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO Form 892.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beemnet W Dada whose telephone number is (703) 305-8895. The examiner can normally be reached on Monday - Friday (8:30 am - 6:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on (703) 305-4393. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Beemnet Dada

September 3, 2004


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